

**IN THE UNITED STATES BANKRUPTCY
COURT FOR THE EASTERN DISTRICT OF
PENNSYLVANIA**

IN RE: Edward Murphy : CHAPTER 13
 Debtor : BANKRUPTCY NO. 19-12427 MDC

MOTION TO MODIFY CONFIRMED CHAPTER 13 PLAN OF DEBTOR

Debtor, by his attorney, pursuant to 11 U.S.C. §1329 moves this Court for permission to modify her confirmed Chapter 13 Plan and in support thereof states as follows:

1. By Order dated February 13, 2020 the Court confirmed the Debtor's Amended Chapter 13 Plan.
2. The confirmed chapter 13 plan required Debtor to make payments to the Trustee in the amount of \$6,580 a month for a period of 8 months plus payments of \$8,247 per month for 52 months for a total Plan of \$481,484.00.
3. At the time Debtor filed this plan, his income consisted of Social Security benefits plus income from a part time job. In addition, non-filing debtor spouse also worked in Washington, D.C. as a publisher of medical books.
4. As the result of the Pandemic Debtor suffered a material loss of income as his hours were cut and the non-filing debtor spouse was laid off of her job, beginning in March of 2020
5. Because of this material reduction in his income, Debtor was unable to make the monthly payments to the Trustee and is now delinquent in the amount of \$33,078 through January, 2021.

6. Debtor has begun to get hours at work again in recent weeks and the non-filing debtor spouse has started to receive Unemployment Benefits along with the accompanying Federal Supplement.

7. For this reason Debtor needs to take advantage of the provisions of the CARES Act which permit him to modify his plan to stretch out his payments to a total of up to 84 months.

8. Accordingly, Debtor files this motion seeking the abatement of his arrears in payments to the Trustee and for an order modifying the plan in accordance with the provisions of the proposed order that accompanies this motion.

9. Specifically Debtor seeks to modify his confirmed plan in the following manner:

Modify Section 2(a)(2) of Debtor' confirmed Chapter 13 Plan, dated February 13, 2020, to provide as follows:

Total Base Amount to be paid to the Chapter 13 Trustee ("Trustee")
\$481,484.00.

The Plan payments by Debtor shall consist of the total amount previously paid to the date of this Order (**\$126,773.00.**) added to the new monthly Plan payments in the amount of **\$5,630.33** commencing **February, 2021** and continuing for 63 months through **April, 2026.**

Modify Section 9(e) of Debtor's Confirmed Chapter

10. The proposed modifications keep the total Plan payments the same but reduces the monthly payment and extends the time in which Debtor must make them.

11. Debtor's plan as modified would continue to comply with the provisions of 11 U.S.C. Section 1322(a), 1322(b) and 1322(c), as well as with requirements of 11 U.S.C. Section 1325(a), as modified by the provisions in the Cares Act permitting payments to extend over a period of up to 84 months, as opposed to 60.

WHEREFORE, Debtor prays that his arrears be abated and that he be permitted to modify his confirmed chapter 13 Plan as indicated.

Respectfully submitted,

/s/ Gary E. Thompson

GARY E. THOMPSON

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